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MEMO ENDORSED

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Hon. Valerie E. Caproni
United States District Judge
United States District Court for the
Southern District of New York
500 Pearl Street, Courtroom 15C
New York, NY 10007

**Re: Dominguez v. Lacoste USA, Inc.
U.S. District Court, Southern District of New York(Foley Square)
Civil Action No.: 1:19-cv-11182-VEC**

Dear Judge Caproni:

This firm represents Defendant Lacoste USA, Inc. (“Defendant”) in the above-referenced action. We have conferred with Plaintiff’s counsel and write, with Plaintiff’s concurrence, to jointly request a stay of this action until the Second Circuit decides the consolidated appeal *Dominguez v. Banana Republic, LLC*, No. 20-1559 (2d. Cir. 2020). See Attached Stipulation and Proposed Order.

By way of background, Defendant’s current responsive pleading deadline is August 4, 2020. (ECF No. 9.) If the Court does not stay this matter, Defendant will file a responsive pleading by this date.

The parties respectfully request that this action be stayed to allow for the resolution of the consolidated appeal *Dominguez v. Banana Republic, LLC*, No. 20-1559 (2d. Cir. 2020). The consolidated appeal concerns orders granting motions to dismiss in similar matters arising out of claims that retailers’ failure to include Braille on gift cards constitutes a violation of Title III of the Americans with Disabilities Act. Because the outcome of the pending appeal will have binding precedential impact on the viability of Plaintiff’s claim in this action, the stay will conserve the resources of both the Court and the parties.

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Your Honor issued similar stays on the same grounds in *Mendez v Tim Hortons*, No. 19-CV-9863 (VEC) (ECF No. 22) and *Mendez v. Victoria's Secret Stores LLC*, No. 19-CV-9864 (VEC) (ECF No. 25).

We thank the Court for its time and attention to this matter, and for its consideration of this application.

Respectfully submitted,



Sara T. Schneider

Application GRANTED. The case shall remain stayed until the resolution of *Dominguez* by the Second Circuit. The Clerk of Court is respectfully directed to stay all motions and deadlines.

The parties must file a status report on or before **December 1, 2020**, explaining whether the stay should continue.

SO ORDERED. Date: 07/27/2020



HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE